

REMARKS/ARGUMENTS

The Office Action dated March 3, 2009 has been carefully considered. With entry of this amendment, applicants believe this application is in condition for allowance. Accordingly, favorable reconsideration of the pending application as amended is respectfully requested in view of the following remarks.

Status of the Application

Claims 1-54 are currently pending, with claims 1, 23, 31, and 47 being independent. Claims 1-3, 6, 10, 12, 19, 21, 23, 25, 27, 28, 31-34, 36-47, 49, and 51-54 are amended herein. As the subject matter of the amended claims is fully supported by the application as filed, no new matter has been introduced into the Application by way of these amendments. Claims 24, 35, 48, and 50 have been cancelled without prejudice.

Summary of the Office Action

Claims 1-54 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claim 6 is rejected under 35 U.S.C. 112 second paragraph as being indefinite. Claims 23, 28-30, 47 and 52-54 are rejected under 35 U.S.C. 102 (e) as being anticipated by U.S. Pub. No. 2002/0026336 to Eizenburg et al. (hereinafter "Eizenburg"). Claims 1-22 and 31-46 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Eizenburg in view of U.S. Pub. No. 2001/0037265 to Kleinberg et al. (hereinafter "Kleinberg"). Claims 12 and 32 are objected to due to informalities.

*Discussion**35 U.S.C. 102 (e) and 103 (a) Rejections*

The subject matter of the present Application pertains generally to a method for monitoring predetermined keystroke data entered into a travel reservation booking application via a travel reservation computer station and triggering a routine to remind the travel agent to prompt the customer to purchase a related sales package, such as travel insurance. *See* Application, Abstract, par. 0029. In embodiments, in response to identifying the predetermined

keystroke data, the method launches one or more windows for purchasing travel insurance and pre-populates at least some of the information in the launched windows with data previously entered into the travel reservation booking application by the travel agent. *See* Application, pars. 0036-0037. When the travel insurance purchase has been accepted by the traveler, the method uploads any additionally entered travel insurance related data to a web server and populates a Passenger Name Record (PNR) of the travel reservation booking application with the travel insurance related information. *See* Application, pars. 0041, 0045. To this end, independent claims 1, 23, 31, and 47, as amended, clarify that the travel reservation computer station executes a memory-resident process for *locally monitoring predetermined keystroke data* entered into the travel reservation application in order to trigger a sales purchase routine (e.g., to purchase travel insurance) related to the travel booking. For instance, claim 1, as amended, recites:

“(A) executing a memory-resident process on a travel reservation computer station for *locally monitoring* data streams associated with *at least one keystroke data sequence* relevant to the travel reservation purchasing routine” and

“(B) identifying, via the memory-resident process on the travel reservation computer station, a predetermined data stream in the keystroke data sequence”

See Application, pars. 0024, 0027-0029 (emphasis added).

Hence, the keystroke data is locally monitored to identify a predetermined data stream (e.g., a predetermined word or other predetermined keystroke sequence) signifying that the traveler may be ready to make a decision on purchasing travel insurance. *See* Application, par. 0029.

By contrast, Eizenburg lacks any disclosure with respect to locally monitoring keystroke data being entered into a travel booking application and automatically identifying a predetermined data sequence that indicates the traveler's readiness to buy travel insurance. Instead, Eizenburg requires remote communication of travel related information from a client computer 20 to a server 25 in order to generate a customized travel Web page. *See* Eizenburg, Figure 1, Abstract, pars. 0010, 0030-0031. Eizenburg states that the “server is constructed and arranged to receive travel information requirements from the at least one client computer over

the computer network and to process the travel information requirements to generate the plurality of customized travel Web pages.” Eizenburg, par. 0010.

Moreover, as clearly shown in Figure 19 of Eizenburg, it requires manual user input, via user selection of a drop down list category, for the commencement of any travel insurance purchase. *See also*, Eizenburg, par. 0060 (showing “Travel Insurance” category as part of a drop down list selection). Therefore, Eizenburg also does not teach or suggest automatically launching a travel insurance form in response to identifying a predetermined data stream among the keystroke data of another application. Thus, with respect to claims 1 and 31, Eizenburg does not teach or suggest:

“(C) *in response to identifying the predetermined data stream*, executing a travel insurance purchase routine, including: i. *automatically launching at least one form* with data fields that are to be completed related to travel insurance.” *See* Application, pars. 0030-0031 (emphasis added).

Likewise, with respect to claims 23 and 47, Eizenburg does not teach or suggest:

“(C) *in response to identifying the predetermined keystroke data sequence*, executing a routine automatically offering a sales package related to the transaction software application.” *Id.*

With respect to claims 1 and 31, the Applicants further note that, similar to Eizenburg, Kleinberg also requires an on-line transmission of customer data to initiate the sale of travel insurance and, therefore, does not teach or suggest locally monitoring keystroke data being entered into a travel booking application and automatically identifying a predetermined data sequence that indicates the traveler’s readiness to buy travel insurance. *See, e.g.*, Kleinberg, Figure 1, pars. 0025-0026. Additionally, Kleinberg also relies on manual user input to initiate the travel insurance purchase transaction. *See* Kleinberg, pars. 0017-0018. For instance,

Kleinberg states that “a buyer viewing an affiliate Web page *initiates an inquiry* about a product or service with controlled availability” and that the “referring Web page responds to *the customer inquiry* using a hyperlink to a next transactional Web page.” *Id.* (emphasis added). Therefore, neither Kleinberg, nor Eizenburg, alone or in combination, teach or suggest “*in response to identifying the predetermined data stream*, executing a travel insurance purchase routine, including: i. *automatically launching at least one form* with data fields that are to be completed related to travel insurance,” as recited by claims 1 and 31.

Dependent claims 2-22, 25-30, 32-34, 36-46, 49, and 51-54 incorporate all of the requirements of their respective independent claims 1, 23, 31, and 47 and, therefore, are also patentable for at least the same reasons.

35 U.S.C. 101 Rejections

Claims 1-54 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. With respect to claims 1-30, the Office Action states that these claims are not tied to a machine, nor do they execute a transformation. Office Action, p. 2. With respect to claims 31-54, the Office Action states that these claims are lacking structural requirements by not being tied to a computer readable medium. Office Action, p. 3.

Independent claims 1 and 23, as amended include a “travel reservation computer station.” See Application, pars. 0024-0025, Figure 1. The foregoing amendments tie the steps of these claims to a particular machine or apparatus (i.e., a travel reservation computer station specifically configured to process the travel reservation data) as required by the Federal Circuit’s recent decision in *In re Bilski*. See generally *In re Bilski*, 545 F.3d 943 (Fed. Cir. 2008).

Independent claims 31 and 47 have been amended to recite a “computer readable medium having stored thereon computer executable instructions” comprising the recited steps. Consequently, these claims are now tied to a computer readable medium, which is squarely within the patentable subject matter requirements of 35 U.S.C. 101. See generally *In re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995).

For the foregoing reasons, independent claims 1, 23, 31, and 47 meet the patentable subject matter requirements of 35 U.S.C. 101. Dependent claims 2-22, 25-30, 32-34, 36-46, 49, and 51-54 incorporate all of the requirements of their respective independent claims 1, 23, 31, and 47 and, therefore, also meet the patentable subject matter requirements of 35 U.S.C. 101 for at least the same reasons.

35 U.S.C. 112 Rejection and Claim Objections

The Applicants believe that amendments to claims 6, submitted herein, have addressed the indefiniteness rejection of this claim under 35 U.S.C. 112 second paragraph. Likewise, claims 12 and 32 have been amended in line with the Examiner's suggestions to address the objections to these claims.

Applicants respectfully submit that the patent application is in condition for allowance. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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